

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

LORI A. NIXON  
*Plaintiff,*

v.

MARLIN I.S.D.  
*Defendants.*

§ CASE NO. 6:21-cv-00736-ADA-JCM  
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§ JURY TRIAL DEMANDED  
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**STIPULATION OF DISMISSAL WITH PREJUDICE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME Plaintiff and Defendant pursuant to FED. R. CIV. P. 41(a)(1)(A)(ii) and file this Stipulation of Dismissal with Prejudice of the above-styled and referenced action, and all asserted claims and causes of action that were or could have been brought therein. This Stipulation of Dismissal is signed by counsel for all parties who have appeared in this action. Plaintiff stipulates to the dismissal with prejudice of all claims and causes of action that were or could have been brought in this case against Defendant Marlin Independent School District, and all current and former employees, agents, and representatives of the Marlin Independent School District, including but not limited to its Trustees, Board members, officers, representatives, agents, attorneys, insurers, contractors and employees, all in both their official and individual capacities, based on the factual allegations made in this case.

Plaintiff further stipulates to the dismissal of any cause of action that could have been based in whole or in part on any transactions, dealings or agreements between or among Plaintiff, Defendant Marlin Independent School District, and all current and former officers, representatives,

agents, attorneys, insurers, contractors, Trustees, Board members and employees of the Marlin Independent School District, all in both their official and individual capacities, which have occurred at any time up to the signing of this Stipulation of Dismissal with Prejudice.

Plaintiff stipulates to the dismissal with prejudice of all causes of action that were raised or could have been raised in this case based on the events which have occurred at any time up to the signing of this Stipulation of Dismissal with Prejudice.

The parties will bear their own costs and attorneys' fees.

Respectfully submitted,

/s/Nicholas A. O'Kelly

Nicholas A. O'Kelly  
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ATTORNEYS FOR PLAINTIFF

/s/Bridget Robinson

BRIDGET ROBINSON  
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ATTORNEYS FOR DEFENDANT  
MARLIN INDEPENDENT SCHOOL DISTRICT

**CERTIFICATE OF SERVICE**

I hereby certify that on the 20<sup>th</sup> day of October, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Bridget Robinson  
Walsh Gallegos Treviño,  
Kyle & Robinson, P.C.  
P. O. Box 2156  
Austin, Texas 78768

/s/Nicholas A. O'Kelly

Nicholas A. O'Kelly

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§ JURY TRIAL DEMANDED

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**ORDER OF DISMISSAL WITH PREJUDICE**

Be it remembered that on this date came to be considered the parties' Stipulation of Dismissal with Prejudice. After consideration of the stipulation, the Court GRANTS the stipulation and dismisses this case with prejudice to Plaintiff's ability to re-file this case or any part thereof against Defendant Marlin Independent School District.

This dismissal is with prejudice to all claims and causes of action that were or could have been brought in this case and is with prejudice to re-filing against the Marlin Independent School District, and all current, future and former Trustees, Board members, officers, employees, agents, attorneys, insurers, contractors, and representatives of the Marlin Independent School District, all in both their official and individual capacities, based on the factual allegations made in this case or for any other matter which has occurred at any time up to the signing of this Order of Dismissal with Prejudice.

The parties will bear their own costs and attorneys' fees.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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UNITED STATES DISTRICT JUDGE